

New Hampshire Racing & Charitable Gaming Commission
Commission Meeting
Concord Office
May 16, 2011
11-06

Present: Timothy J. Connors, Chairman
Warren W. Leary, Secretary
Michael J. Gatsas, Member
Lynn M. Presby, Member
Bernard A. Streeter, member
Anthony B. Urban, Member
Paul M. Kelley, Director
Sudhir K. Naik, Deputy Director
Charles J. Saia, Legal Coordinator
Steve Johnston, Supervisor Gaming Operations
Billie Jean Arseneault, Gaming/Licensing Supervisor
Shawn Graham, Auditor
Linda Glaser, Auditor
Linda Darrow, Administrative Secretary

In Attendance: Rick Newman, Ed Callahan, Dick Bouley, Karen Keelan, Curtis Barry, Nick Anzalone, Dan Decoteau, Jaime Timbas, Glenn McCrory and others.

The Chairman called the meeting to order at 11:00 a.m.

On a motion by Commissioner Urban seconded by Commissioner Streeter and unanimously voted to approve and place on file the Commission minutes dated April 26, 2011.

On a motion by Commissioner Urban, seconded by Commissioner Streeter and unanimously voted to accept and place on file the racing & charitable gaming statistics for the fiscal period ending May 5, 2011.

The Games of Chance warning letters/late financials spreadsheets were reviewed. Deputy Director Naik provided an update. He stated no items remain outstanding. On a motion by Commissioner Urban seconded by Commissioner Streeter and unanimously voted to accept and place on file.

The Games of Chance State Revenue spreadsheets were reviewed. On a motion by Commissioner Streeter, seconded by Commissioner Urban and unanimously voted to accept them and place on file.

Director Kelley provided a legislative update. SB 136 is still "Laid on the Table" by the Senate. The House passed HB 348 but it was tabled, with an amendment, in the Senate. Senator Odell has been working on the Amendment to HB 348 to include the items of SB 136 into HB 348. Additionally video record retention has been expanded to 180 days from the originally proposed 90 days. An additional senate amendment is supposedly coming to HB 348 but no specifics are yet available. In the most recent Amendment, which has been discussed, language will include prohibition regarding RCGC approval of new Lucky 7 devices, which were not in

operation before Jan 1, 2011. On a motion by Commissioner Presby, seconded by Commissioner Urban and unanimously voted to instruct staff to no longer take steps pursuing approval of electronic Lucky 7 devices and to kill the process. Legal Coordinator Saia added that HB 229 was signed by the Governor repealing the 10% tax on gambling winnings. The law will become effective on May 23, 2011.

Action Items:

1. *Bingo/Lucky 7 Bona Fide Charitable Member issues:* Deputy Director Naik stated this continues to be a work in progress. Because the employee who is doing the analysis has recently had health issues the data was not available. An update will be provided at the next meeting or the July meeting.
2. *PokerStars.net information:* Legal Coordinator Saia provided a handout on PokerStars.net. Mr. Timbas of Granite State Poker Alliance, LLC stated the affiliation with PokerStars.net was for marketing and branding purposes only and that there was no exchange of money between them.

Tabled Item:

1. *Lavoie/Baillargeon bona fide membership status:* On a motion by Commissioner Gatsas, seconded by Commissioner Streeter and unanimously voted to take this item off the table. Discussion ensued. On a motion by Commissioner Gatsas, seconded by Commissioner Streeter and unanimously voted to remove this item from the agenda. If requested information is received from Ms. Lavoie/Ms. Baillargeon, item will be placed back on the agenda.

Correspondence:

- (a) On a motion by Commissioner Gatsas, seconded by Commissioner Streeter and unanimously voted to accept and place on file the letter received from Ms. Lavoie/Ms. Baillargeon (letter did not provide membership status).
- (b) Chairman Connors thanked Ms. Arseneault for a job well done in assisting game operators/charities with their applications, as shown in two letters received at the agency and included in the agenda packet.
- (c) The agency activity report was reviewed and accepted. Director Kelley stated the auditors have been busy conducting field audits and this information will be included in upcoming agency activity reports. Discussion ensued on the License/Enforcement summary of conducted inspections table. For clarification, a few changes will be made to the table and a summary sheet provided on the investigations conducted.

Old Business:

Director Kelley provided a handout from Eastern Poker Tour (EPT). They are requesting an extension of their current poker tournament with a June 1st startup date. Discussion ensued. On a motion by Commissioner Gatsas, seconded by Commissioner Presby and unanimously voted to table this item until the next meeting.

New Business:

- o Mr. Rick Newman submitted, for informational purposes only, a summary of a promotion running this week at the Lodge at Belmont. On a motion by Commissioner Streeter, seconded by Commissioner Urban and unanimously voted to accept and place on file.
- o Legal Coordinator Saia informed the Commission that Seacoast Poker Room's occupancy permit expires June 22, 2011. Discussion ensued. Chairman Connors asked that a letter be sent to Seacoast Poker Room requesting them to keep the Commission

informed on their efforts to obtain a permanent occupancy permit and the final outcome. Concern was expressed for the charities scheduled to meet at Seacoast should a permanent occupancy permit not be issued.

- Discussion ensued on the River Card Room's request for approval of an in-house poker tournament, \$25,000 Freeflow Championship. Because this was a late item, not all concerns had been addressed by staff. A motion by Commissioner Streeter and seconded by Commissioner Urban was made to approve this request on condition that all concerns were addressed satisfactorily. Discussion continued regarding late submission of requests for approvals in general. Without enough time to determine whether a request falls within the rules, the Commission cannot be expected to approve these last minute requests. On a motion by Commissioner Gatsas, seconded by Commissioner Leary and by roll call vote, the Commission voted 4 – 2 to table this request until the next Commission meeting:

Connors	-	Yes
Leary	-	Yes
Gatsas	-	Yes
Presby	-	Yes
Streeter	-	No
Urban	-	No

Commissioner Gatsas reminded representatives of the tracks who were present that Derby time is approaching and to keep an eye on their account wagering accounts.

The next meeting is scheduled for Tuesday, June 14, 2011 at 11:00 a.m. in Pharmacy Board's conference room at 57 Regional Drive. The Chairman closed the public meeting at 11:45 p.m.

Respectfully Submitted,

Warren W. Leary, Jr.
Secretary